IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

W.P.(C)No.27808 of 2006(I)

PETITIONER:

MIJU GEORGE, AGED 19 YEARS,
VADAKKEDATH HOUSE, M.P.XVI-540,
BEHIND INSSS, AMBUKUTTY,
MANANTHAVADY P.O.-670 645.

BY ADV. SRI.C.S.MANU
SRI.ANOOP.V.NAIR

RESPONDENTS:
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1. THE PRINCIPAL, MARY MATHA ARTS & SCIENCE COLLEGE, VEMOM P.O., MANANTHAVADY, WYNAD DISTRICT, PIN-670 645.

2. MARY MATHA ARTS & SCEINCE COLLEGE VEMOM P.O., REPRESENTED BY ITS MANAGER MANANTHAVADY, WAYANAD DISTRICT.

3. KANNUR UNIVERSITY, KANNUR, REPRESENTED BY ITS REGISTRAR.

BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY
ADV.SRI.JIJO PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 27808 of 2006(I)

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the representation submitted by petitioner before the 3rd respondent dated 18-10-006.

// True copy //

P.A. to Judge

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C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.27808 OF 2006

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Dated this the 20th day of November 2006

JUDGMENT

Writ petition is filed for a direction to the first respondent to take back petitioner to the first respondent college after recalling his suspension. Counsel for the respondents submitted that petitioner along with ten students were involved in clashes with other students and initial proposal was to remove two students and take back the others on condition of their giving apology in writing and making a request for issuing transfer certificate. In other words, petitioner is one among the students who is permitted to rejoin the college on the above two conditions. According to the petitioner, petitioner is not willing to give any undated application for issuing T.C. as there is likelihood of the Principal misusing it. If petitioner is found guilty of indiscipline, then it will be open to the management to take disciplinary action and if justified management can even remove the petitioner if the degree of indiscipline is such as to warrant it. I feel the step taken by the management is beneficial

to the petitioner because otherwise they are free to take final disciplinary action after suspension.

2. In the circumstances, writ petition is disposed of leaving freedom to the petitioner to rejoin the college on same conditions and if petitioner does not rejoin college, first respondent will conduct enquiry and take appropriate decision in the matter which shall be done within a period of three weeks from now. Petitioner shall produce a copy of the judgment for compliance.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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